

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08	DEMAR RHOME,	)	
09	Petitioner,	)	Case No. C06-1207-JLR-JPD
10	v.	)	
11	WASHINGTON STATE	)	ORDER OF DISMISSAL
12	PENITENTIARY,	)	
13	Respondent.	)	

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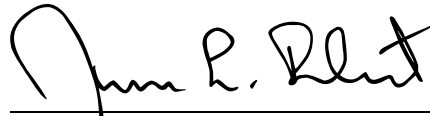
The Court, after careful consideration of petitioner's amended petition for writ of habeas corpus, all supporting materials and governing authorities, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, petitioner's objections to the Report and Recommendation (Dkt. #35), and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner's amended § 2254 habeas corpus petition (Dkt. Nos. 14, 18) is DISMISSED without prejudice as premature.
- (3) The Clerk is directed to send copies of this Order to petitioner, all counsel of record, and to Judge Donohue.

The court notes that petitioner has sent numerous letters to the court regarding this petition. None of the letters, however, addresses the jurisdictional defects that Judge Donohue identified in the petition. Regardless of the merits of petitioner's claims, a

01 federal court cannot hear his petition for habeas relief until he has exhausted his state court  
02 remedies.

03 DATED this 21st day of November, 2006.

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06 JAMES L. ROBART  
07 United States District Judge  
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